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15 Attorneys for Plaintiff  
16 JAMES RICHARDSON

17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

19 JAMES RICHARDSON,

20 Plaintiff,

21 vs.

22 GERALD ROSE, DOES 1 through 10,

23 Defendants.

Case No. 3:22-cv-00265-MMD-CSD

**STIPULATION AND PROPOSED ORDER  
FOR EXTENSION OF TIME TO FILE  
OPPOSITION TO MOTION TO DISMISS  
(Second Request)**

24  
25 Plaintiff, James Richardson and Defendant Gerald W. Rose hereby file this Second  
26 Stipulation extending Plaintiff's time to file an opposition to Defendant's Motion to  
27 Dismiss, and extending Defendant's time to file the Reply to Plaintiff's Opposition.

28 WHEREAS, on June 13, 2022, Defendant filed a Notice of Removal of Second Judicial

1 District Court for Washoe County, Nevada, Case No. CV22-00862;

2 WHEREAS, on June 23, 2022, Defendant Rose filed a Motion to Dismiss Complaint  
3 for Defamation (the “Motion to Dismiss”) [DKT. # 5];

4 WHEREAS, on or about July 7, 2022, this Court approved the Parties’ first Joint  
5 Stipulation extending the deadline for the filing of pleadings regarding the Motion to  
6 Dismiss. [Dkt. # 9]. That Motion pivoted upon Plaintiff’s desire to secure legal counsel for  
7 purposes of, *inter alia*, responding to the Motion to Dismiss. [Dkt. # 8]. Therefore, the  
8 current deadlines for the filing of pleadings regarding the Motion to Dismiss are as follows:

9  
10 **Plaintiff’s Opposition:** Original Due Date July 7, 2022  
11 Extended Due Date: August 8, 2022

12  
13 **Defendant’s Reply:** Original Due Date July 14, 2022  
14 Extended Due Date: September 14, 2022

15  
16 WHEREAS, on August 2, 2022, this Court entered an Order granting the *Pro Hac Vice*  
17 admission of Richard Carnell Baker, Esq. (District of Columbia/Virginia State Bars), to serve  
18 as co-counsel for Plaintiff, along with Christopher Rusby, Esq., a member of the Bar of this  
19 Court serving as local counsel;

20 WHEREAS, Counsel for Plaintiff and the Defendant have entered into this  
21 Stipulation to permit Plaintiff a second time extension to file his Opposition to the Motion  
22 to Dismiss, and Defendant a corresponding or resultant extension to file his Reply. This  
23 Stipulation is based upon Plaintiff’s counsel’s need for a brief opportunity to assess this  
24 matter and file Plaintiff’s Opposition to the Motion to Dismiss. Plaintiff is thus requesting  
25 an additional seven (7) days, i.e., from August 8, 2022 to until and including August 15,  
26 2022 to file his Opposition. Correspondingly, the Defendant’s time to file his Reply will be  
27 extended from September 14, 2022 to until and including September 21, 2022.

1 IT IS HEREBY STIPULATED by and between the parties that Plaintiff will have until  
2 and including August 15, 2022 to file his Opposition to the Motion to Dismiss; and  
3 Defendant will have to until and including September 21, 2022 to file its Reply to Plaintiff's  
4 Opposition.

5  
6 Dated: August 5, 2022

7 /s/Richard Carnell Baker

8 Richard Carnell Baker (*Pro Hac Vice*)

9 Baker Simmons, Attorneys at Law

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17 Local Counsel for Plaintiff, James Richardson

18 Dated: August 5, 2022

19 JAMES M. FRIERSON

20 United States Attorney

21 District of Nevada

22 By: /s/ Holly A. Vance

23 HOLLY A. VANCE

24 Assistant United States Attorney

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27  
28 [PROPOSED ORDER ON FOLLOWING PAGE]

**ORDER**

Good cause appearing therefor, IT IS HEREBY ORDERED that Plaintiff, James Richardson, will have up to and including August 15, 2022 to file his Opposition to the Motion to Dismiss; and, Defendant will have up to and including September 21, 2022 to file his Reply to Plaintiff's Opposition.

IT IS SO ORDERED.

DATED: August 8, 2022



UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of Rusby Law, PLLC and that on this date, I filed the within document through the CM/ECF system with the United States District Court, who will send notice to the following:

HOLLY A. VANCE  
Assistant United States Attorney  
400 S. Virginia Street, Suite 900  
Reno, NV 89501  
*Attorney for Defendant*

Dated: August 6, 2022.

/s/ Christopher Rusby